

Expiring Federal Provisions That May Impact Homelessness

Funding, Flexibilities, and Waivers Set to Expire in FY 2022

The chart on Pages 2-29 identifies federal funding, flexibilities, and waivers linked to the public health emergency for COVID-19 as well as other funding, flexibilities, and waivers that are set to expire at various points in Fiscal Year (FY) 2022, which ends September 30, 2022. All may impact homelessness prevention and intervention. The status and timelines of these provisions continue to evolve. For questions, contact your USICH regional coordinator.

Last Updated April 21, 2022 to reflect that:

- The Department of Health and Human Services extended the COVID-19 public health emergency by 90 days.
- The Department of Housing and Urban Development extended the expenditure deadline from September 30, 2022 to September 30, 2023 for all amounts awarded through the first and second allocations of <u>ESG-CV funds</u>.

Primary Authorities:

- <u>CARES Act</u>: Passed on March 27, 2020, this law provided relief to address COVID's impact on the economy, public health, state and local governments, individuals, and businesses.
- Section 319 of the Public Health Service Act: In January 2020, the secretary of Health and Human Services (HHS) declared a public health emergency for COVID-19, which has been extended nine times since and is currently set to expire July 15, 2022. HHS has stated that it would provide states with 60 days' notice before the declaration ends. The secretary may determine that: a) a disease or disorder presents a public health emergency; or b) that a public health emergency, including significant outbreaks of infectious disease or bioterrorist attacks, otherwise exists. Following a section 319 declaration, the secretary can take appropriate actions in response to the emergency consistent with other authorities.
- Consolidated Appropriations Act of 2021: Passed on December 12, 2020, this law provided COVID emergency response and relief for FY 2022.
- <u>American Rescue Plan Act:</u> Passed on March 11, 2021, this law provided additional relief to address the continued impact of COVID-19. For more on the law's funding that impacts homelessness, <u>read this USICH guide</u>.
- Robert T. Stafford Disaster Relief and Emergency Assistance Act: The president may declare a major disaster or emergency exists for one or more states at the request of the governor or a chief executive of an affected Indian tribe, and may also declare a federal emergency, without a gubernatorial request, for subject areas that are determined to be under the primary responsibility of the United States based on the Constitution or laws of the United States. Any federal agency charged with the administration of a federal assistance program may, if so requested by the applicant, state, or local authorities, modify or waive, for a major disaster, such administrative conditions for assistance as would otherwise prevent the giving of assistance under such programs if the inability to meet such conditions is a result of the major disaster.

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
FEMA Public Assistance Program – Category B (DHS) Non-Congregate Sheltering	Eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of state, local, tribal, and territorial public health officials may be reimbursed under Category B of FEMA's Public Assistance program.	Section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act	President Joseph R. Biden, Jr. announced that funding to support all eligible COVID-19 work will continue at a 100% federal cost-share through July 1, 2022.	Study Shows Need for Non- Congregate Housing Arrangements for People Experiencing Homelessness National Low Income Housing Coalition (nlihc.org)	FEMA Emergency Non-Congregate Sheltering during the COVID-19 Public Health Emergency Guidance HUD/FEMA Guidance on Model Transitions Document FINAL (hud.gov) FEMA Advisory on Cost Share Extension (March 2022)
Emergency Rental Assistance 1 and 2 (Treasury)	ERA1 provides up to \$25 billion under the Consolidated Appropriations Act, 2021, enacted on December 27, 2020, and ERA2 provides up to \$21.55 billion under the American Rescue Plan Act of 2021, enacted on March 11, 2021.	Consolidated Appropriations Act, 2021 and American Rescue Plan Act of 2021	ERA 1 funds provided shall remain available only through September 30, 2022, unless, in the case of a reallocation. ERA 2 funds are available through September 30, 2027.	As of spending data through January 31, payments had reached over 3.25 million. Treasury promising practices	On January 7, Treasury released the reallocation amounts for ERA1 Round 1 Reallocation and Voluntary Reallocation.
Emergency Housing Vouchers (HUD)	Through EHV, HUD is providing 70,000 housing choice vouchers to	Section 3202 of the American Rescue Plan Act	After 9/30/23, PHAs may not reissue EHVs when assistance ends. An EHV		Program Guidance

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
	local PHAs to assist individuals and		that has never been issued to a		Webinar
	families who are homeless, at-risk of		family may be		<u>highlights</u>
	homelessness, fleeing, or attempting		initially issued and leased after		<u>Flexibilities</u>
	to flee, domestic violence, dating		<u>9/30/23.</u>		included within
	violence, sexual assault, stalking, or				the program
	human trafficking, or were recently				center around
	homeless or have a high risk of				<u>income</u>
	housing instability.				verifications at
					admission,
					portability,
					<u>payment</u>
					<u>standard</u>
					amount, COVID-
					19 waivers, initial
					search term, etc.
					FAQs updated as
					of November 29,
					2021
					Reported barriers
					to greater take-
					up from the field
					include: a lack of
					accompanying
					services dollars;
					landlord
					engagement
					issues;
					insufficient rental
					units

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Community Planning and Development (HUD) Housing Quality Standards – Initial Inspection of Unit	On March 31, 2020, HUD waived the physical inspection requirement at 24 CFR 578.75(b)(1) for 6-months so long as recipients or subrecipients were able to use technology and visually inspect the unit to ensure Housing Quality Standards (HQS) before any assistance was provided. Plus, recipients or sub-recipients had written policies in place to physically reinspect the unit within 3 months after the health officials determined special measures to prevent the spread of COVID-19 are no longer	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 578.75(b)(1)	This waiver of the requirement is in effect until March 31, 2022, for recipients and sub-recipients that can meet the following criteria: a. The recipient can visually inspect the unit using technology, such as video streaming, to ensure the unit meets HQS before any assistance is provided; and b. The recipient or sub-recipient has written policies that require physical inspection of the units not previously physically inspected by June 30, 2022.		
Community Planning and Development (HUD) Suitable Dwelling Size and Housing Quality Standards	necessary 24 CFR 578.75(c), suitable dwelling size, and 24 CFR 982.401(d)(2)(ii) as required by 24 CFR 578.75(b), Housing Quality Standards, requires units funded with CoC Program funds to have at least one bedroom or living/sleeping room for each two persons. On September 30, 2020, HUD waived the requirements at 24 CFR 982.401(d)(2)(ii) and 24 CFR 578.75(c) to allow households experiencing homelessness to obtain permanent housing that is affordable and that they	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 578.75(c) and 24 CFR 982.401(d)(2)(ii) as required by 24 CFR 578.75(b)	The requirement that each unit assisted with CoC Program funds or YHDP funds have at least one bedroom or living/sleeping room for each two persons is waived for recipients providing Permanent Housing-Rapid Re-housing assistance for leases and occupancy agreements executed by recipients and subrecipient s between the date of this memorandum and March 31, 2022. Assisted units with leases of occupancy agreements signed during the waiver period may have more than two persons for each bedroom or living/sleeping room until the later of 1) the end of the initial term of the		

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Community Planning and Development (HUD) Fair Market Rent for Individual Units and Leasing Costs	The CoC Program regulation at 24 CFR 578.49(b)(2) prohibits a recipient from using grant funds for leasing to pay above Fair Market Rate (FMR) when leasing individual units, even if the rent is reasonable when compared to other similar, unassisted units. On July 1, 2021, HUD again waived this requirement until December 31, 2021. Extending this waiver of the limit on using grant leasing funds to pay above FMR for individual units, but not greater than reasonable rent, will assist recipients in locating additional units to house individuals and families experiencing homelessness in tight rental markets	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 578.49(b)(2	lease or occupancy agreement; or 2) March 31, 2022. As a reminder, recipients are still required to follow State and local occupancy laws The FMR restriction continues to be waived for any lease executed by a recipient or sub-recipient to provide transitional or permanent supportive housing until March 31, 2022. The affected recipient or sub-recipient must still ensure that rent paid for individual units that are leased with leasing dollars meet the rent reasonableness standard in 24 CFR 578.49(b)(2).		
Community Planning and Development (HUD) One-Year Lease Requirement	The CoC Program regulation at 24 CFR 578.3, definition of permanent housing, and 24 CFR 578.51(I)(1) requires program participants residing in permanent housing to be the tenant on a lease for a term of one year that is renewable and terminable for cause. HUD originally waived this requirement for 6-months again on	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 578.3, definition of permanent housing, 24 CFR 578.51(I)(1)	The one-year lease requirement is waived for leases executed between the date of this memorandum and March 31, 2022, so long as the initial term of all leases is at least one month.		

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
	July 1, 2021 until December 31, 2021 to help recipients more quickly identify permanent housing for individuals and families experiencing homelessness, which is helpful in preventing the spread of COVID-19.			Since the original waiver flexibility	
Community Planning and Development (HUD) HQS – Re-Inspection of Units	24 CFR 578.75(b)(2) requires that recipients or subrecipients are required to inspect all units supported by leasing or rental assistance funding under the CoC and YHDP Programs at least annually during the grant period to ensure the units continue to meet HQS. It continues to be important to maintain housing for people to enable social distancing and prevent the spread of COVID-19. Therefore, HUD is again waiving the requirement to inspect all units supported by leasing and rental assistance funds at least annually as described below	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 578.75(b)(2)	The requirement at 24 CFR 578.75(b)(2) is waived until March 31, 2022 for recipients and subrecipient s that are able to visually reinspect the unit using technology, such as video streamlining, to ensure the unit meets housing quality standards.	expired on September 30, 2021, recipients report that it is challenging to physically re- inspect units for HQS because of staffing shortages and program participants being uncomfortable having other people enter their units out of fear of contracting COVID-19. It continues to be important to maintain housing	

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Community Planning and Development (HUD) Homeless Definition – Temporary Stays in Institutions of 90 Days or Less	An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution is considered homeless per 24 CFR 578.3, definition of "homeless." HUD is extending this waiver to allow someone who was residing in an emergency	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 578.3, definition of	An individual may qualify as homeless under paragraph (1)(iii) of the homeless definition in 24 CFR 578.3 so long as he or she is exiting an institution where they resided for 120 days or less and resided in an emergency shelter or place not meant for human habitation immediately before entering that	for people to enable social distancing and prevent the spread of COVID- 19. Recipients continue to report potential program participants are staying in institutions for longer periods of time due to COVID-19. Additionally, since people experiencing homelessness are at higher risk of COVID-19 infection,	Notes
or Less	shelter or place not meant for human habitation prior to entering the institution to maintain their homeless status while residing in an institution for longer than 90 days.	"homeless" (1)(iii)	institution. This waiver is in effect until March 31, 2022.	showing lower vaccination rates and poorer health outcomes when compared to the general population it is important that they be able to	

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
				exit to	
				permanent	
				housing when	
				they exit an	
				institution to	
				allow for social	
				distancing and	
				prevent the spread of COVID-	
				·	
	The CoC Program regulation at 24			19.	
	CFR 578.37(a)(1)(ii) and 24 CFR				
	578.51(a)(1)(i) defines medium-term				
	rental assistance as 3 to 24 months		The 24-month rental assistance		
	and 24 CFR 578.37(a)(1)(ii) and 24		restriction is waived for program		
	CFR 578.37(a)(1)(ii)(C) limits rental	In accordance with 24 CFR 5.110,	participants in permanent housing		
Community Planning	assistance in rapid re-housing	HUD may, upon a determination of	rapid re-housing project who will		
and Development	projects to medium-term rental	good cause and	have reached 24 months of rental		
(HUD)	assistance, or	subject to statutory limitations,	assistance until March 31, 2022.		
	no more than 24 months. Continuing	waive regulatory provisions.	Program participants who have		
Permanent Housing	to waive the limit on using rental		reached 24 months of rental		
Rapid Re-housing	assistance in rapid re-housing		assistance during this time and who		
Limit to 24 Months of	projects to pay more than 24 months	4 CFR 578.37(a)(1)(ii), 24 CFR	will not be able to afford their rent		
Rental Assistance	will ensure that individuals	578.37(a)(1)(ii)(C), and 24 CFR	without additional rental		
	and families currently receiving rapid	578.51(a)(1)(i)	assistance will be eligible to receive		
	re-housing assistance do not lose		rental assistance until March 31,		
	their assistance, and consequently		2022.		
	their housing, during the COVID-19				
	public health crisis and the				
	subsequent economic downturn.				

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Community Planning and Development (HUD) Disability Documentation for Permanent Supportive Housing	24 CFR 578.103(a) requires recipient to maintain records providing evidence they met program requirements and 24 CFR 578.103(a)(4)(i)(B) establishes the requirements for documenting disability for individuals and families that meet the "chronically homeless" definition in 24 CFR 578.3. Acceptable evidence of disability includes intake-staff recorded observations of disability no later than 45 days from the date of application for assistance, which is confirmed and accompanied by evidence in paragraphs 24 CFR 578.103(a)(4)(i)(B)(1), (2), (3), or (5). HUD is waiving the requirement to obtain additional evidence to confirm staff-recorded observations of disability. On March 31, 2020 HUD waived the requirement to obtain additional evidence within 45 days and instead allowed recipients up to 6-months 11 from the date of application for assistance to confirm intake staff-recorded observations of disability with other evidence.	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 578.103(a) and 24 CFR 578.103(a)(4)(i)(B	The requirement that staff-recorded observation of disability be confirmed and accompanied by other evidence no later than 45 days from the application for assistance documentation requirement is waived until March 31, 2022.	Many communities continue to experience substantial rates of COVID-19 and hospitalizations and resulting in staff shortages for non-COVID related concerns. As a result of this and of reduced hours of agencies and providers that can provide disability documentation, recipients are reporting that obtaining documentation of a disability still takes longer than usual.	

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Community Planning and Development (HUD) Homeless Definition – Temporary Stays in Institutions of 90 Days or Less	An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution is considered homeless per 24 CFR 576.2, definition of "homeless. HUD originally waived this requirement on September 30, 2020, 2021 to keep housing options open for individuals who otherwise would have been homeless but were reporting longer stays in institutions as a result of COVID-19.	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 576.2, definition of "homeless," (1)(iii)	An individual may qualify as homeless under paragraph (1)(iii) of the homeless definition in 24 CFR 576.2 so long as he or she is exiting an institution where they resided for 120 days or less and resided in an emergency shelter or place not meant for human habitation immediately before entering that institution. This waiver is in effect for individuals whose homeless status is determined between the date of this memorandum and March 31, 2022.	Recipients continue to report potential program participants are staying in institutions for longer periods of time due to COVID-19.	
Community Planning and Development (HUD) Assisting Program Participants with Subleases	The use of "owner" and "lease" in 24 CFR 576.105 and 576.106 restrict program participants from receiving rental assistance under 24 CFR 576.106 and certain services under 24 CFR 576.105 with respect to units program participants sublease or lease from a person other than the owner or the owner's agent. Notice CPD-21-08: Waivers and Alternative Requirements for the ESG Program Under the CARES Act allows ESG rapid re-housing and homelessness prevention assistance to be provided to program participants who are legally subleasing housing from a primary leaseholder.	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 576.105, 24 CFR 576.106	This waiver is only made available with respect to leases and subleases entered into between the date of this memorandum and March 31, 2022. However, unless HUD notifies the recipient otherwise, the recipient may continue to use its FY2021 ESG grant funds to assist program participants housed under this waiver through the end of their otherwise allowable term of assistance		

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Community Planning and Development (HUD) Funding Deadline	Recipients must expend all amounts awarded through the first and second allocations of ESG-CV funds by September 30, 2023, except for administration and HMIS funds necessary for ESG-CV closeout, which must be expended by December 31, 2023	The Coronavirus Aid, Relief, and Economic Security Act provided \$3.96 billion in funding for the Emergency Solutions Grants Program These ESG-CV funds must be used to prevent, prepare for, and respond to coronavirus among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus.	Funds originally were mandated to be expended by September 30, 2022. The new expenditure deadline of September 30, 2023 is necessary because the pandemic has lasted much longer than initially anticipated and "continues to cause significant risk to the public health and safety of the Nation."		
Community Planning and Development (HUD) Helping Current Program Participants Maintain Housing – Housing Relocation and Stabilization Services.	Section 576.105(a)(5) prohibits a program participant from receiving more than 24 months of utility payments under ESG during any three-year period. Notice CPD-21-08: Waivers and Alternative Requirements for the ESG Program Under the CARES Act provides flexibility to provide housing relocation and stabilization services to program participants for more than 24-months during any 3-year period.	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 576.105(a)(5), (b)(2) and (c).	For recipients that can document they meet the conditions for applying this waiver to FY21 grants funds, consistent with the justification paragraph above, the 24-month limits on housing relocation and stabilization services under 24 CFR 576.105(a)(5), (b)(2) and (c) are waived for program participants receiving rapid re-housing and homelessness prevention assistance who will have reached these 24-month limits between the date of this memorandum and March 31, 2022, as long as the assistance provided under this waiver does not extend beyond March 31, 2022 and is limited to program participants who will not be able to obtain or maintain		

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Community Planning and Development (HUD) Helping Current Program Participants Maintain Housing – Rental Assistance.	24 CFR 576.106(a) limits the total amount of time a program participant may receive rental assistance to 24 months in a 3-year period. Notice CPD-21-08: Waivers and Alternative Requirements for the ESG Program Under the CARES Act provides flexibility to provide rental assistance to program participants for more than 24-months during any 3- year period.	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 576.106(a).	housing without the benefit of this waiver For recipients that can document they meet the conditions for applying this waiver to FY21 grants funds, consistent with the justification paragraph above, the 24-month in a 3-year period restriction on rental assistance is waived for program participants receiving rapid rehousing and homelessness prevention assistance who will have reached their 24- month limit between the date of this memorandum and March 31, 2022, as long as the assistance provided under this waiver does not extend beyond March 31, 2022 and is limited to program participants who will not be able to obtain or maintain housing without the benefit of this waiver.		
Community Planning and Development (HUD) Restriction of rental assistance to units with rent at or below FMR	Under 24 CFR 576.106(d)(1), rental assistance cannot be provided unless the total rent is equal to or less than the FMR established by HUD, as 17 provided under 24 CFR Part 888, and complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507. HUD already provided a waiver of this requirement in Notice CPD-21-08: Waivers and Alternative	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 576.106(d)(1)	For recipients that can document they meet the conditions for applying this waiver to FY21 grants funds, consistent with the justification paragraph above, the FMR restriction is waived for any individual or family receiving Rapid Re-housing or Homelessness Prevention assistance who executes a lease for a unit during the period beginning on the date of this memorandum and		

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
	Requirements for the ESG Program		ending on March 31, 2022. The ESG		
	Under the CARES Act. However, that		recipient or sub-recipient must still		
	flexibility only applies to ESG-CV		ensure that the units in which ESG		
	funds and FY 2020 and earlier fiscal		assistance is provided to these		
	year ESG grant funds that are used		individuals and families meet the rent		
	under the conditions provided in		reasonableness standard. This waiver		
	Notice CPD-21-08. HUD has		is only made available with respect to		
	determined good cause exists to		leases and subleases entered into		
	allow certain ESG recipients to use a		between the date of this		
	similar waiver with respect to their		memorandum and March 31, 2022.		
	FY2021 ESG grant funding.		However, unless HUD notifies the		
			recipient otherwise, the recipient		
			may continue to use its FY2021 ESG		
			grant funds to assist program		
			participants housed under this waiver		
			through the end of their otherwise		
			allowable term of assistance		
	Section 574.310(b)(2) of the HOPWA			Since the original	
	regulations provides minimum		This waiver is in effect until March	waiver flexibility	
	housing quality standards that apply	In accordance with 24 CFR 5.110,	31, 2022 for grantees and project	expired on	
	to all housing for which HOPWA	HUD may, upon a determination of	sponsors that can meet the following	September 30,	
Community Planning	funds are used for acquisition,	good cause and	criteria: 1. The grantee or project	2021, grantees	
and Development	rehabilitation, conversion, lease, or	subject to statutory limitations,	sponsor can visually inspect the unit	report that it is	
(HUD)	repair; new construction of single	waive regulatory provisions.	using technology, such as video	challenging to	
(1105)	room occupancy dwellings and	waive regulatory provisions.	streaming, to ensure the unit meets	physically inspect	
Droporty Standards for	community residences; project or	24 CFR 574.310(b)(2), Housing	HQS before any assistance is	units for HQS	
Property Standards for	tenant-based rental assistance; or	Quality Standards (HQS)	provided; and 2. The grantee or	because of stay-	
HOPWA	operating costs under 24 CFR Quality Stan	Quanty Standards (11Q3)	project sponsor has written policies	at-home orders	
	574.300(b)(3), (4), (5), or (8). On		that require physical reinspection of	for many grantee	
	March 31, 2020 HUD waived the		the units not previously physically	workplaces,	
	physical inspection requirement for		inspected by June 30, 2022.	staffing	
	tenant-based rental assistance at 24			shortages, and	

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
	CFR 574.310(b) for one year so long as grantees or project sponsors were able to visually inspect the unit using technology to ensure the unit met HQS before any assistance was provided and grantees or project sponsors had written policies in place to physically reinspect the unit after health officials determined special measures to prevent the spread of COVID-19 were no longer necessary			program clients feeling uncomfortable with other people entering their units out of fear of contracting COVID-19	
Community Planning and Development (HUD) Rent Standard for HOPWA Rental Assistance	Grantees must establish rent standards for their rental assistance programs based on FMR (Fair Market Rent) or the HUD-approved community-wide exception rent for unit size. HUD originally waived the FMR rent standard requirement for tenant-based rental assistance for one year on March 31, 2020.	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 574.320(a)(2), Rent Standard	The FMR requirement continues to be waived until March 31, 2022. Grantees and project sponsors must still ensure the reasonableness of rent charged for a unit in accordance with §574.320(a)(3).		
Community Planning and Development (HUD) Adequate Space and Security	This section of the HOPWA regulations provides that each resident must be afforded adequate space and security for themselves and their belongings. When HUD originally waived this requirement on March 31, 2020, an end date was not established.	In accordance with 24 CFR 5.110, HUD may, upon a determination of good cause and subject to statutory limitations, waive regulatory provisions. 24 CFR 574.310(b)(2)(iii), Space and Security	This space and security requirement is waived until March 31, 2022, for grantees addressing appropriate quarantine space for affected eligible households during the allotted quarantined time frame recommended by local health care professionals.		
Public and Indian Housing (HUD)	PHAs have the option to increase the payment standard for the family at	The Coronavirus Aid, Relief, and Economic Security Act (Public Law	Waiver requests must be received on or by March 1, 2022, and are only		

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Increase in Payment Standard During Housing Assistance Payment Contract Term	any time after the effective date of the increase, rather than waiting for the next regular reexamination.	116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the Housing Choice Voucher and Public Housing programs.	available until December 31, 2022, unless noted otherwise.		
Public and Indian Housing (HUD) Section 8 Management Assessment Program Score	PHAs with a fiscal ending of 3/31/22, 6/30/22, 9/30/22, may request to waive the application of SEMAP in its entirety, only if the PHA has SEMAP indicators affected directly or indirectly because of the disruption to PHA operations caused by its adoption of available CARES Act waivers.	The Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the Housing Choice Voucher and Public Housing programs. 985.105 985.101	Waiver requests must be received on or by March 1, 2022, and are only available until December 31, 2022, unless noted otherwise.		
Public and Indian Housing (HUD) Term of Voucher: Extensions of Term	Allows PHAs to grant a family one or more extensions of the initial voucher term regardless of the policy described in the Administrative Plan. PHAs should ensure consistency with these requests and remain in	The Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing,	Waiver requests must be received on or by March 1, 2022, and are only available until December 31, 2022, unless noted otherwise.		

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
	compliance with the PHA's informally adopted interim standard.	nondiscrimination, labor standards, and the environment) for the Housing Choice Voucher and Public Housing programs. 982.303(b)(1)			
Public and Indian Housing (HUD) Homeownership Maximum Term of Assistance	Allows a PHA to extend homeownership assistance for up to one additional year.	The Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the Housing Choice Voucher and Public Housing programs.	Waiver requests must be received on or by March 1, 2022, and are only available until December 31, 2022, unless noted otherwise		
Public and Indian Housing (HUD) Voucher Tenancy: New Payment Standard Amount	PHAs may request an expedited waiver to allow for establishment of payment standards from 111 to 120 percent of the FMR. PHAs must follow the instructions below specific to this waiver.	The Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136) provided HUD with authority, in the context of the public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the Housing Choice Voucher and Public Housing programs.	Waiver requests must be received on or by March 1, 2022, and are only available until December 31, 2022, unless noted otherwise		

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Supplemental Nutrition Assistance Program (USDA) Benefit Levels	Congress temporarily increased SNAP benefits in two ways: 1) Emergency Allotments (EAs), which have been in effect since spring 2020 and remain in about 40 states. The Trump Administration originally used the authority to provide the SNAP maximum benefit to all households. In April 2021, USDA took action to ensure that boost increased benefits for all households by at least \$95 to help very low-income families who already received the maximum benefit – or close to it – before the pandemic. 2) raising maximum benefits by 15%.	The Families First Coronavirus Relief Act (P.L. 116-127) authorized EAs during a public health emergency declaration by the Secretary of Health and Human Services under section 319 of the Public Health Service Act related to an outbreak of COVID-19 when a state has also issued an emergency or disaster declaration. The 15 percent increase was authorized by the December 2020 Consolidated Appropriations Act (P.L. 116-260) for January 2021 through June 2021. The American Rescue Plan Act extended it through September 2021.	The 15% increase expired for everyone on Sept. 30, 2021. The maximum benefit boost ends when a participant's state or the federal government ends their pandemic emergency status. As of February 2022, more than 40 states still are issuing EAs.	Urban Institute estimated that increased SNAP benefits through the bipartisan emergency relief measures and the ARP are keeping almost 8 million people out of poverty during the pandemic. The Brookings Institution estimates that in the 2020-21 school year, Pandemic EBT: reduced the share of families in SNAP households where children experienced very low food security by 17 percent; and reduced food insufficiency among SNAP	All states and territories that participate in SNAP initially opted to automatically provide all SNAP households the maximum benefit for their household size under legislation passed in response to the pandemic. USDA has granted waivers to 43 states, allowing for the issuance of emergency allotments

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
				households by 28 percent.	
Supplemental Nutrition Assistance Program: (USDA) Temporary Suspension of Three-Month Time Limit	Congress temporarily suspended nationwide SNAP's three-month time limit that applies to many non-disabled adults under age 50 without children in their home who aren't working or in a training program for at least 20 hours per week.	The Families First Coronavirus Relief Act (P.L. 116-127) authorized EAs during a public health emergency declaration by the Secretary of Health and Human Services under section 319 of the Public Health Service Act related to an outbreak of COVID-19	The partial suspension applies through the end of the month subsequent to the month in which the Public Health Emergency based on an outbreak of COVID-19 is lifted by the Secretary of Health and Human Services. (So if it ends in July then September will be the first month).	Time's Up for SNAP's Time Limit Center on Budget and Policy Priorities (cbpp.org)	States can apply for and receive waivers of the time limit for areas with high unemployment. Many states will continue to qualify for waivers statewide or for substate areas. Some states do not opt to request these waivers and a handful have laws that prohibit them from requesting a waiver even in times of high unemployment. There are exemptions from the time limit that states need to screen for, including an

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
					exemption for homelessness.
Special Supplemental Nutrition Program for Women, Infants, and Children (USDA) WIC Benefit Levels	Under the CR, the temporary WIC Cash-Value Voucher/Benefit increase continues to apply to all women and children participants, via WIC food packages III, IV, V, VI, and VII, as defined by WIC regulations at 7 CFR 246.10(e). Through the second quarter of FY 2022, all WIC state agencies must maintain the same increased CVV/B amounts from quarter one of FY 2022 of \$24 for child participants, \$43 for pregnant and postpartum women participants, and \$47 for fully and participants	Government Funding Act of 2022 (PL 117-70)-Section 101 of this Continuing Resolution amends Section 118 of the Extending Government Funding and Delivering Emergency Assistance Act of 2022	On Dec. 3, 2021, President Biden signed the Further Extending Government Funding Act of 2022 (PL 117-70). Section 101 of this Continuing Resolution (CR) amends Section 118 of the Extending Government Funding and Delivering Emergency Assistance Act of 2022 (PL 117-43) and directs USDA to extend through the second quarter of fiscal year (FY) 2022 (Jan. 1, 2022, to March 31, 2022) the temporary increase in the WIC Cash-Value Voucher/Benefit (CVV/B) for fruit and vegetable purchases.	WIC Is Critical During the COVID-19 Pandemic: Lessons Learned From Los Angeles County Participants (nih.gov)	Since the authority to increase the amount of the CVV/B terminates on March 31, 2022, state agencies may only provide the increased CVV/B to participants as monthly food benefits for October 2021 through March 2022.
Meals and Snacks for Young Adults in Homeless Shelters (USDA)	Temporarily allows young adults ages 18 through 24 who are experiencing homelessness to receive meals and snacks at shelters through the Child	American Rescue Plan Act	Expiration linked to the end of the Public Health Emergency (scheduled for 4/16/22.)		
Access to Food in Shelters	and Adult Care Food Program				
Provide support for struggling college students. (USDA)	In December 2020, Congress provided USDA with the flexibility to extend SNAP benefits to college students who would otherwise be	Consolidated Appropriations Act, 2021	The new, temporary exemptions will be in effect until the first recertification of a household that occurs 30 days after the COVID-19		SNAP benefits for eligible students during the COVID-19

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
College Student SNAP Eligibility	ineligible if they are eligible to participate in workstudy programs or have an expected family contribution of zero in the current academic year.		public health emergency ends (assuming the PHE ends on 4/16/22, this flexibility would end around 5/16/22).		pandemic (EA ID: GENERAL-21-11) (Updated April 5, 2021) Knowledge Center
SNAP Administrative Flexibilities	Flexibilities range from application processing to claims to quality control. Examples include: - FNS will allow the state to document in writing in the case file that a client verbally attested to the information provided on the application, instead of requiring an audio recording of the verbal attestation to constitute a valid telephonic signature. - FNS will allow flexibility in the time frame for establishing or disposing of new claims. States are also permitted to suspend collection of active recoupment of SNAP overpayments, delaying collection on newly established overpayments, and not considering any payments delayed due to this suspension to be delinquent. - FNS will permit state agencies to conduct streamlined interviews for at	The Continuing Appropriations Act, 2021 (PL 116-159), extends a number of the Supplemental Nutrition Assistance Program (SNAP) flexibilities approved under the Families First Coronavirus Response Act.	The Continuing Resolution provides a finite time period for each adjustment option. The options below are available to states regardless of whether or not a public health emergency declaration or a state emergency declaration are in place.		

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
	least 50% of non-elderly or disabled households. All initial applicants will continue to be interviewed.				
Emergency Assistance for Rural Housing (USDA) Rental Assistance	Provides \$100 million until September 30, 2022, for payments to owners of USDA-financed rural rental housing or Farm Labor Housing projects on behalf of low-income tenants who can't pay their full rent	American Rescue Plan Act	Expires September 30, 2022		The American Rescue Plan Act of 2021 Emergency Rental Assistance for Rural Housing (usda.gov)
Centers for Disease Control and Prevention (HHS) COVID-19 Testing and Vaccine Funding	The \$80,000,000, under the 'Testing in Homeless Sites & Other Congregate Facilities' award, will be awarded to the current 64 ELC recipients based on a recipient's jurisdictional number of people experiencing homelessness divided into the total national homeless population. The objectives and goals of this funding are focused on providing support to homeless service sites, encampments, and other congregate living facilities for the detection and mitigation of COVID-19.	American Rescue Plan Act of 2021, P.L. 117-2	Funds will be awarded in Budget Period 3 (i.e., August 1, 2021, through July 31, 2022); however, the awards will have an extended budget period to support activities through July 31, 2024.		
Centers for Medicare and Medicaid Services (HHS) Program Administrative Costs	The Families First Coronavirus Response Act authorized a 6.2 percentage point increase in the	Families First Coronavirus Response Act and public health emergency declaration.	The FMAP increase will expire at the end of the quarter in which the public health emergency expires.	As of July, 76.7 million people, or nearly 1 in 4 Americans, were enrolled (record high)	Medicaid is consistently the most common source of insurance for Healthcare for the Homeless

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
	federal Medicaid match rate			The Urban	patients, even in
	("FMAP") (retroactive to January 1,			<u>Institute</u>	states that did
	2020) available if states meet certain			estimated that	not expand
	"maintenance of eligibility" (MOE)			15 million people	Medicaid to
	requirements.			younger than 65	single adults
				could lose their	
				Medicaid	CMS' new
				benefits once the	guidance aims to
				<u>public health</u>	make sure states
				emergency ends	are well-
					prepared to
					initiate eligibility
					renewals for all
					individuals
					enrolled in
					Medicaid and
					CHIP within 12
					months of the
					eventual end of
					the PHE and to
					complete
					renewals within
					14 months.
					Harriadian and
					<u>Unwinding and</u>
					Returning to
					Regular Operations often
					Operations after COVID-19
					Medicaid
					ivieuicaiu

Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare Other Maintenance of Eligibility Provisions States accepting additional Medicaid Funds cannot implement more restrictive eligibility policies or procedures and states cannot increase Medicaid premiums. States also must cover coronavirus testing and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Centers for Medicare Requires states receiving enhanced	Program	nding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and Medicaid premiums. States also cannot increase Medicaid premiums. States also must cover coronavirus testing and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions/ contributions to the non-federal share of Medicaid costs. Centers for Medicare Requires states receiving enhanced Requires states receiving enhanced Health Cov Losses Whe Medicaid Coverage Protections Expires the end of the quarter in which the PHE ends. Expires the end of the quarter in which the PHE ends. Coverage Protections Familles First Coronavirus Response Act						Careful Planning
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare Requires states accepting additional Medicaid Funds cannot implement more restrictive eligibility policies or procedures and states cannot increase Medicaid premiums. States also cannot increase Medicaid premiums. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Centers for Medicare Requires states receiving enhanced Requires states receiving enhanced						Now Can Reduce
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Centers for Medicare Requires states receiving enhanced Medicaid Coverage Econter on Band Policy Priorities (cbpp.org) Medicaid Coverage Coverage Expires the end of the quarter in which the PHE ends. Expires the end of the quarter in which the PHE ends. Expires the end of the quarter in which the PHE ends. Covid-19 Covid-19						<u>Health Coverage</u>
States accepting additional Medicaid Funds cannot implement more restrictive eligibility policies or procedures and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Contributions to the non-federal share of Medicaid costs. States accepting additional Medicaid Funds cannot implement more restrictive eligibility policies or procedures and states cannot increase Medicaid premiums. States also must cover coronavirus testing and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. States accepting additional Medicaid Funds and Policy Priorities (cbpp.org) Medicaid Coverage Protections of Expires the end of the quarter in which the PHE ends.						
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Other Maintenance of Eligibility Provisions Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare Requires states receiving enhanced Centers for Medicare Centers for Medicare Requires states receiving enhanced Coverage Expires the end of the quarter in which the PHE ends. Expires the end of the quarter in which the PHE ends. Coverage Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Coverage Coverage Coverage Protections Expires the end of the quarter in which the PHE ends.						
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and Medicaid subdivisions' contributions to the non-federal share of Medicaid costs. Centers for Medicare Requires states receiving enhanced Centers for Medicare Requires states receiving enhanced Center of E and Policy Priorities (cbpp.org) Medicaid Coverage Protections Families First Coronavirus Response and COVID-19 treatment without to Implement which the PHE ends. Expires the end of the quarter in which the PHE ends. Expires the end of the quarter in which the PHE ends. Centers for Medicare CovID-19 CovID-						
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicare Centers for Medicare Requires states receiving enhanced States accepting additional Medicaid Funds cannot implement more restrictive eligibility policies or procedures and states cannot increase Medicaid premiums. States also must cover coronavirus testing and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Centers for Medicare Requires states receiving enhanced Act Medicaid Coverage Protections Expires the end of the quarter in which the PHE ends. Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends. Coverage Protections Expires the end of the quarter in which the PHE ends.						
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Centers for Medicare Requires states receiving enhanced States accepting additional Medicaid (cbpp.org) Medicaid Coverage Protections Families First Coronavirus Response Act Expires the end of the quarter in which the PHE ends. Expires the end of the quarter in which the PHE ends. CovID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Centers for Medicare Requires states receiving enhanced						
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Centers for Medicare Requires states receiving enhanced States accepting additional Medicaid Funds cannot implement more restrictive eligibility policies or procedures and states cannot increase Medicaid premiums. States also must cover coronavirus testing and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Centers for Medicare Requires states receiving enhanced Centers for Medicare States accepting additional Medicaid Medicaid Coverage Protections Expires the end of the quarter in which the PHE ends. Expires the end of the quarter in which the PHE ends. Coronavirus Response Act Coronavirus Response Act Coronavirus Response Act States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. CoviD-19 For State Medicaid and Medicaid Coverage Protections Expires the end of the quarter in which the PHE ends. Coronavirus Response Act Coronavirus Response Act						*
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare States accepting additional Medicaid Funds cannot implement more restrictive eligibility policies or procedures and states cannot increase Medicaid premiums. States also must cover coronavirus testing and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Centers for Medicare Centers fo						
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare Centers for Medicare Act Families First Coronavirus Response Act Coverage Protections Families First Coronavirus Response Act Families First Coronavirus Response Act Families First Coronavirus Response Act Coverage Protections Families First Coronavirus Response Act Families First Coronavirus Response Act Coverage Protections Families First Coronavirus Response Act	Ç	s accepting additional Medicaid				
Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Centers for Medicare Requires states receiving enhanced Requires states receiving enhanced Requires states receiving enhanced Centers for Medicare Restrictive eligibility policies or procedures and states cannot increase Medicaid premiums. States also cannot increase Medicaid premiums. States also contributions to the non-federal share of Medicaid costs. Families First Coronavirus Response Act Expires the end of the quarter in which the PHE ends. Centers for Medicare Requires states receiving enhanced Requires states receiving enhanced	_					
and Medicaid Services (HHS) Other Maintenance of Eligibility Provisions Other Medicaid subdivisions' Contributions to the non-federal share of Medicaid costs. Centers for Medicare Translies First Coronavirus Response Act Families First Coronavirus Response Act Coordinate Act Families First Coronavirus Response Act Families First Coronavirus Response Act Families First Coronavirus Response Act Coordinate Act Families First Coronavirus Response Act Families First Coronavirus Response Act Coordinate Act Families First Coronavirus Response Act Families First Coronavirus Response Act Coordinate Act Families First Coronavirus Response Act Coordinate Act Families First Coronavirus Response Act Coordinate Act Families First Coronavirus Response Act Coordinate Act Families First Coronavirus Response Act						Protections in
(HHS) Other Maintenance of Eligibility Provisions Increase Medicaid premiums. States also must cover coronavirus testing and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Families First Coronavirus Response Act Families First Coronavirus Response Act Expires the end of the quarter in which the PHE ends. Expires the end of the quarter in which the PHE ends. Contributions to the non-federal share of Medicaid costs. Contributions to the non-federal share of Medicaid costs. Requires states receiving enhanced Requires states receiving enhanced	icis ioi iiicaicai c					Families First Act:
Other Maintenance of Eligibility Provisions Increase political subdivisions' contributions to the non-federal share of Medicaid costs. Contributions to the non-federal (cbpp.org) Covid-19 For State Requires states receiving enhanced Requires states receiving enhanced Other Maintenance of the quarter in which the PHE ends. Requires the end of the quarter in which the PHE ends. Covid-19 For State Requires states receiving enhanced Requires states receiving enhanced	in the second	ase Medicaid premiums. States	-			What They
Other Maintenance of Eligibility Provisions Eligibility Provisions and COVID-19 treatment without cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Covid-19 For State Requires states receiving enhanced Requires states receiving enhanced						Require and How
Eligibility Provisions Cost-sharing. States also cannot increase political subdivisions' contributions to the non-federal share of Medicaid costs. Covid-19 For State	<u>a</u>	OVID-19 treatment without		Willer the Prize elius.		to Implement
contributions to the non-federal share of Medicaid costs. Covid-19 F for State Medicaid a	<u>C</u>	haring. States also cannot				Them Center
share of Medicaid costs. (cbpp.org) COVID-19 F for State Medicaid all Medicaid all	ibility Provisions	ase political subdivisions'				on Budget and
Centers for Medicare Requires states receiving enhanced Medicaid all	<u> </u>	ibutions to the non-federal				Policy Priorities
Centers for Medicare Requires states receiving enhanced Medicaid at	<u>S</u>	of Medicaid costs.				
Centers for Medicare Requires states receiving ennanced Medicaid at						COVID-19 FAQs
Medicaid at	tors for Modisoro	res states receiving enhanced				
and Madicaid Comition FMAP to provide continuous	ters for integredie	to provide continuous				Medicaid and
eligibility for those enrolled prior to	and Medicaid Services (HHS)					CHIP Agencies
(HHS) or during the emergency, regardless Families First Coronavirus Response Expires the end of the month in			·	·		
of changes in circumstances, unless	g	anges in circumstances, unless	Act	which the PHE ends		
Continuous Coverage the individual requests termination Protections	<u>. </u>	dividual requests termination				
or ceases to be a resident.	Requirement	ases to be a resident.				Protections in Families First Act:
What They						

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
					Require and How to Implement Them Center on Budget and Policy Priorities (cbpp.org) Unwinding the Medicaid Continuous Coverage Requirement Center on Budget and Policy Priorities (cbpp.org) Unwinding and Returning to Regular Operations after COVID-19
Centers for Medicare and Medicaid Services (HHS) Temporary Rate Increase	Section 9817 of the American Rescue Plan provides states with a temporary 10 percentage point increase to the federal medical assistance percentage (FMAP) for certain Medicaid home and community based services from April 1, 2021 through March 31, 2022	Section 9817 of the American Rescue Plan	Expires on March 31, 2022 States will be permitted to use the state funds equivalent to the amount of federal funds attributable to the increased FMAP through March 31, 2024 on activities aligned with the goals of section 9817 of the ARP.		Medicaid SMD# 21-003: Implementation of American Rescue Plan Act of 2021 Section 9817: Additional Support for Medicaid Home and Community-

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
					Based Services during the COVID-19 Emergency.pdf Strengthening and Investing in Home and Community Based Services for Medicaid Beneficiaries: American Rescue Plan Act of 2021 Section 9817 Spending Plans and Narratives Medicaid
Centers for Medicare and Medicaid Services (HHS) Program Administration Flexibility	Rural Health Clinics and Federally Qualified Health Centers can provide distant site telehealth services to Medicare patients, wherever they are located, even in their homes, during the COVID-19 public health emergency.	Section 3704 of the CARES Act	Expires when the Public Health Emergency expires (scheduled for 4/16/22).		What Happens When COVID-19 Emergency Declarations End? Implications for Coverage, Costs, and Access LKFF
Substance Abuse and Mental Health Services Administration (HHS)	SAMHSA has allowed Opioid Treatment Programs (OTP) to dispense 28 days of take-home methadone doses to stable patients for the treatment of opioid use	Therefore, SAMHSA is pre-emptively granting OTPs an exemption, effective upon the expiration of the COVID-19 Public Health Emergency, and subject to the conditions	SAMHSA is extending the methadone take-home flexibilities for one year, effective upon the eventual expiration of the COVID-19 Public Health Emergency. SAMHSA is also	Preliminary studies show that nearly two years after the exemption was	

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Patient Access to Medication for Opioid Use Disorder	disorder, and up to 14 doses of takehome methadone for less stable patients, who the OTP determines can safely handle this level of takehome medication.	identified below, from the unsupervised take-home medication requirements of 42 C.F.R. § 8.12(i) that are necessary to (1) dispense up to 28 days of take-home doses of opioid use disorder medication to stable patients if the OTP believes the patient can safely handle this amount of take-home medication and (2) dispense up to 14 days of take-home doses of opioid use disorder medication to less stable patients if the OTP believes the patient can safely handle this amount of take-home medication.	considering mechanisms to make this flexibility permanent.	first granted, stakeholders report increased engagement with treatment, improved patient satisfaction, and very few incidents of misuse or diversion of medication. The flexibility promotes individualized, recovery-oriented care by allowing greater access for people who reside farther away from an OTP location or who lack reliable transportation.	
Temporary Assistance for Needy Families (HHS) Program Administration Flexibility	Benefits must be designed to deal with a specific crisis or episode of need, must not be intended to meet ongoing needs, must not extend beyond four months, and must only include expenditures such as emergency assistance and diversion	The American Rescue Plan Act of 2021, Public Law 117-2, amends section 403 of the Social Security Act to create a new \$1 billion Pandemic Emergency Assistance Fund to assist needy	Expires September 30, 2022	Amid the nationwide hardship in 2020 that resulted from the pandemic, the number of	the-use-of-tanf- funds-for- emergency- rental-assistance- and-eviction- prevention- during-covid-

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
	payments, emergency housing and short-term homelessness assistance, emergency food aid, short-term utilities payments, etc.	families impacted by the COVID-19 pandemic.		families receiving TANF benefits increased in some states but stayed the same or fell in others over the course of the year. Nationally, the average monthly TANF caseload declined between 2019 and 2020, but that metric misses the rise and fall of the caseload during the year. In fact, caseloads rose at the beginning of the pandemic in early 2020 and fell by the end of the year.	19 0.pdf (urban.org)
Temporary Assistance for Needy Families (HHS) Program Administration Flexibility	States and tribes may choose to implement a range of flexibilities, such as these suggested in TANF-ACF-PI-2020-01:	Title IV-A of the Social Security Act and implementing regulations in 45 CFR Parts 260-265 and 286, and TANF-ACF-PI-2007-08 (Using Federal TANF and State Maintenance-of-Effort (MOE) Funds for Families in	Expires with the expiration of a federal or state disaster declaration.	Within state TANF programs, similar early investments in some states that promoted virtual	TANF-ACF-PI- 2020-01 (Questions and answers about TANF and the Coronavirus Disease 2019

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
	1. Offering online or telephonic applications to minimize face-to-face contact; 2. Providing online approaches for participants to engage in work activities virtually, such as online trainings and work readiness; 3. Providing case management by phone or other virtual/electronic communication platforms; and 4. Increasing cash benefit levels for TANF cash assistance recipients who	Areas Covered by a Federal or State Disaster Declaration).		employment and training services, with flexible options for when and how people engage in services, have expanded opportunities to engage parents in new ways.	(COVID-19) pandemic) The Administration for Children and Families (hhs.gov)
	have reduced income or increased needs related to the COVID-19 pandemic.				
Continued Safe Operation of Child Welfare Programs and Support for Older Foster Youth (HHS) Temporary Benefit Increase	Increases the maximum Education and Training Voucher program award amount from \$5,000 to \$12,000 through September 30, 2022	Consolidated Appropriations Act, 2021 (P.L. 116-260)	Expires September 30, 2022		
Stafford Act Flexibility for Title IV-E Eligibility, Licensing, and Foster Care Placements (HHS)	Title IV-E agencies may opt to extend eligibility for title IV-E foster care maintenance payments, adoption assistance, and guardianship assistance (if operating pursuant to §473(d) of the Social Security Act (the Act) for	Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §5121 et seq.)	Expires with the expiration of the Public Health Emergency declaration (scheduled for 4/16/22).		

Program	Funding / Flexibility / Waiver	Authorization	Timeline	Evidence	Notes
Temporary Eligibility Expansion	youth up to age 19, 20, or 21, as elected by the agency				
Supportive Services for Veteran Families (VA) Program Administrations and Cost Flexibility	SSVF can provide greater flexibility in the types and amounts of services available to Veteran households while the national public health emergency is in place, including the waiving of time limits on number of months for Rental Assistance, Utility Assistance, and EHA	Stafford Act	Expires with the expiration of the Public Health Emergency declaration (scheduled for 4/16/22).		SSVF Program G uide.pdf (va.gov)